

1756

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FOLEY & LARDNER LLP

ATTORNEYS AT LAW

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150 EAST GILMAN STREET
MADISON, WI 53703-1481
POST OFFICE BOX 1487
MADISON, WI 53701-1497
TELEPHONE: 608.257.5035
FACSIMILE: 608.258.4258

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TO:	PHONE #:	FAX #:
Examiner Nicole M. Barreca United States Patent and Trademark Office	(571) 272-1379	(571) 273-1379

From : Paul S. Hunter

Email Address : phunter@foley.com

Sender's Direct Dial : (608) 258-4292

Date : August 19, 2004

Client/Matter No : 039153-0447

User ID No : 1669

MESSAGE:

Re: U.S.S.N. 10/016,439

Dear Examiner Barreca:

Per our telephone conversation, attached for filing please find a copy of the following documents:

- Copy of Auto-Reply Facsimile Transmission dated 7/20/04 (1 page)
- Transmittal of Terminal Disclaimer (1 page)
- Terminal Disclaimer (13 pages)

If there are any problems with this transmission or if you have not received all of the pages, please call 608.258.4252.

Operator:	Time Sent:	Return Original To: Nancy L. Kimball
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87-28-'84 16:38 FROM-Foley & Lardner LLP G08Z584258 T-66S P01/15 D-2'N

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ATTORNEYS AT LAW

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148 EAST GRAND STREET
BRIDGEVIEW, NY 07003-2887
FAX OFFICE: 802-1487
TELEPHONE: 703-767-7867
TELEGRAPH: NOLFOJJO
FACSIMILE: 804.548.4258
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FACSIMILE TRANSMISSION

Total # of Pages 15 (including this page)

To:	PHONE #:	FAX #:
Examiner Nicole M. Barrett United States Patent and Trademark Office	(571) 272-1378	(703) 372-9306

From : Paul S. Hunter
Email Address : paulsm@foley.com
Sender's Direct Dial : (608) 258-4292
Date : July 20, 2004
C/Sent/Mailer No : U99153-0447
User ID No : 1669

MESSAGE:

Re: C.S.N. 10016/439

Dear Examiner Barreca:

Attached for filing please find a copy of the following documents:

- Transmittal of Terminal Disclaimer (1 page)
- Terminal Disclaimer (13 pages)

If there are any problems with this transmission or if you have not received all of the papers, please call 601.250.4252.

Operator:	Time Sent:	Return Original To: Noelcy L. Kimball
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Cover Page 1 of 1

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PAGE TWO: NEW AT 700MALL 44-18 PM From: [redacted] Title: "C/O HESTER'S" IN HIS FORM "C/O HESTER'S" VARIATION (INVESTIGATION)

FOLEY & LARDNER
MADISON, WI
IF DOCKETING

✓ noted
- Jd

AUG 19 2004

OFFICIAL

Atty. Dkt. No. 039153-0447 (G1152)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lukanc et al.

Title: METHOD OF EXTENDING THE
AREAS OF CLEAR FILED
PHASE SHIFT GENERATION

Appl. No.: 10/016,439

Filing Date: 12/11/2001

Examiner: Nichole M. Barreca

Art Unit: 1756

<p>CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Paul S. Hunter</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>July 20, 2004</u> (Date of Deposit)</p>

TRANSMITTAL OF TERMINAL DISCLAIMER

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants file herewith a Terminal Disclaimer with respect to the above--referenced patent application. The Commissioner is hereby authorized to charge any fees that may be required with respect to this Disclaimer to Deposit Account No. 50-2350.

Respectfully submitted,

Dated: July 20, 2004

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

By

[Signature]
Paul S. Hunter
Attorney for Applicants
Registration No. 44,787

AUG 19 2004

OFFICIAL

Atty. Dkt. No. 039153-0447 (G1152)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lukanc et al.

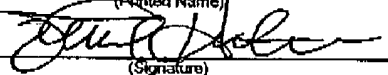
Title: METHOD OF EXTENDING THE
AREAS OF CLEAR FIELD
PHASE SHIFT GENERATION

Appl. No.: 10/016,439

Filing Date: 12/11/2001

Examiner: Nicole M. Barreca

Art Unit: 1756

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Paul S. Hunter (Printed Name)  (Signature) July 20, 2004 (Date of Deposit)
--

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, Advanced Micro Devices, Inc., having its principal place of business at 1160 Kern Avenue, Sunnyvale, CA 94088 (hereinafter represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/016,439, filed 12/11/2001, by virtue of an Assignment filed and recorded on 12/11/2001, on Reel/Frame 012392/0298, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,749,971, filed 12/11/01, by virtue of an Assignment filed and recorded on 12/11/01 on Reel/Frame 012389/0107, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, Advanced Micro Devices, Inc., hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/016,439 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent No. 6,749,971, and hereby agrees that any patent so granted on U.S. Patent Application 10/016,439

Atty. Dkt. No. 039153-0447 (G1152)

shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent No. 6,749,971, this agreement to run with any patent granted on U.S. Patent Application 10/016,439 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/016,439, prior to the full statutory term of U.S. Patent No. 6,749,971 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent No. 6,749,971, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/016,439 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/016,439 that would extend beyond the present termination of U.S. Patent No. 6,749,971, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/016,439 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 10/016,439, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/016,439 and U.S. Patent No. 6,749,971 rests with Petitioner, Advanced Micro Devices, Inc.. The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Atty. Dkt. No. 039153-0447 (G1152)

Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

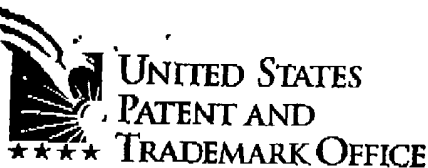
Respectfully submitted,

By

Paul S. Hunter
Attorney for Applicants
Registration No. 44,787

Dated: July 20, 2004

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

31153/447
PSH

FEBRUARY 14, 2002

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Under Secretary of Commerce For Intellectual Property and
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Washington, DC 20231
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PAUL S. HUNTER
FIRST CENTER
777 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202-5367



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/11/2001

REEL/FRAME: 012392/0298
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
LUKANC, TODD P.

DOC DATE: 12/05/2001

ASSIGNOR:
SPENCE, CHRISTOPHER A.

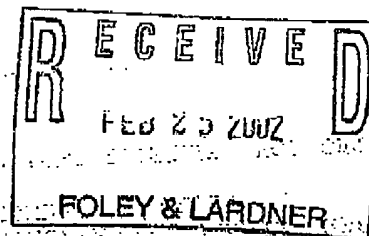
DOC DATE: 12/07/2001

ASSIGNEE:
ADVANCED MICRO DEVICES, INC.
1160 KERN AVENUE
SUNNYVALE, CALIFORNIA 94088

SERIAL NUMBER: 10016439
PATENT NUMBER:

FILING DATE: 12/11/2001
ISSUE DATE:

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



APPENDIX A

2/26/02

12-28-2001

Dkt. No. 039153-0447 (G1152)

FORM PTO-1595 (modified)

(Rev 6-93)

RE



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Patent and Trademark Office

101926649

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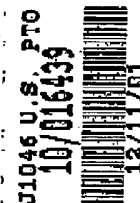
1. Name of conveying party(ies):

Todd P. Lukanc
Christopher A. Spence

mds
12/11/01

2. Name and address of receiving party(ies):

Advanced Micro Devices, Inc.
1160 Kern Avenue
Sunnyvale, CA 94088



Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

12/5/2001 & 12/7/2001 Respectively

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is: 12/05/2001 & 12/7/2001 Respectively

A. Patent Application Number(s):

10016439

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Paul S. Hunter
FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 06-1447

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above identified deposit account.

Paul S. Hunter

Name of person signing

Signature

Dec. 11, 2001

Date

Total number of pages including cover sheet, attachments, and document: 4

12/27/2001 14:00:01 00000073-10016439

01 FC:581

40.00 OP

Atty. Dkt. No. 039153-0447 (G1152)

ASSIGNMENT AND AGREEMENT

WHEREAS, Todd P. Lukanc of 1217 Rockhaven Drive, San Jose, CA 95120 and Christopher A. Spence of 1145 Andover Drive, Sunnyvale, CA 94087; (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **METHOD OF EXTENDING THE AREAS OF CLEAR FIELD PHASE SHIFT GENERATION** (Atty. Dkt. No. 039153-0447 (G1152)) for which an application for United States Letters Patent was executed by ASSIGNOR concurrently herewith; and

WHEREAS, Advanced Micro Devices, Inc., a corporation duly organized and existing under the laws of the State of Delaware, and having its principal place of business at 1160 Kern Avenue, Sunnyvale, CA 94088 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper

Atty. Dkt. No. 039153-0447 (G1152)

title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of **Foley & Lardner** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **Foley & Lardner** do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 05 day of Dec, 2001.



TODD P. LUKANC

State of California
County of Santa Clara

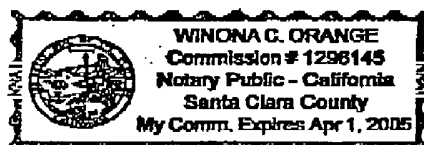
On this 5th day of Dec, 2001, before me, a notary public in and for said county, appeared **TODD P. LUKANC**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and (he/she) acknowledged that (he/she) signed, sealed, and delivered the said instrument as (his/her) free and voluntary act for the uses and purposes therein set forth.



Notary Public

My Commission Expires: 04/01/05

(Seal)



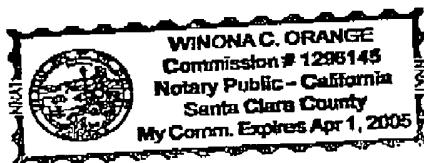
Atty. Dkt. No. 039153-0447 (G1152)

Executed this 07 day of Dec, 2001.State of California
County of Santa Clara)ss.CAS
CHRISTOPHER A. SPENCE

On this 7th day of DEC, 2001, before me, a notary public in and for said county, appeared CHRISTOPHER A. SPENCE, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Winona C. Orange
Notary PublicMy Commission Expires: 04/01/05

(Seal)



39153/448
RCH

FEBRUARY 13, 2002

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Under Secretary of Commerce For Intellectual Property and
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Washington, DC 20231
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777 E. WISCONSIN AVE.
MILWAUKEE, WI 53202-5367

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RECORDATION DATE: 12/11/2001

REEL/FRAME: 012389/0107
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LUKANC, TODD P.

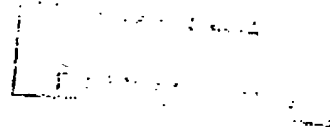
DOC DATE: 12/05/2001

ASSIGNOR:

SPENCE, CHRISTOPHER A.

DOC DATE: 12/07/2001

ASSIGNEE:

ADVANCED MICRO DEVICES, INC.
1160 KERN AVENUE
SUNNYVALE, CALIFORNIA 94088SERIAL NUMBER: 10016710
PATENT NUMBER:FILING DATE: 12/11/2001
ISSUE DATE:SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

APPENDIX B

2/13/02
JH

12-28-2001

y. Dkt. No. 039153-0448 (G1153)

FORM PTO-1595 (modified)

(Rev 8-93)



101927181

ER SHEET

Y

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Todd P. Lukanc
Christopher A. Spence

12-11-01

2. Name and address of receiving party(ies):

Advanced Micro Devices, Inc.
1160 Kern Avenue
Sunnyvale, CA 94088

11050 U.S. PTO

10/016710



Additional conveying party(ies) NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

12/05/2001 & 12/07/2001 Respectively

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is: 12/05/2001 & 12/07/2001 Respectively

10,016710

A. Patent Application Number(s):

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Paul S. Hunter
FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367

12/27/2001 BYRNE 0000043-10016710

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6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 06-1447

Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Paul S. Hunter

Name of person signing

Signature

Dec 11, 2001

Date

Total number of pages including cover sheet, attachments, and document: 4

001.1132000.1

Atty. Dkt. No. 039153-0448 (G1153)

ASSIGNMENT AND AGREEMENT

WHEREAS, Todd P. Lukanc of 1217 Rockhaven Drive, San Jose, CA 95120 and Christopher A. Spence of 1145 Andover Drive, Sunnyvale, CA 94087; (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **METHOD OF ENHANCING CLEAR FIELD PHASE SHIFT MASKS WITH CHROME BORDER AROUND PHASE 180 REGIONS** (Atty. Dkt. No. 039153-0448 (G1153)) for which an application for United States Letters Patent was executed by ASSIGNOR concurrently herewith; and

WHEREAS, Advanced Micro Devices, Inc., a corporation duly organized and existing under the laws of the State of Delaware, and having its principal place of business at 1160 Kern Avenue, Sunnyvale, CA 94088 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper

Atty. Dkt. No. 039153-0448 (G1153)

title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of **Foley & Lardner** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **Foley & Lardner** do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 05 day of Dec., 2001.

Todd P. Lukanc
TODD P. LUKANC

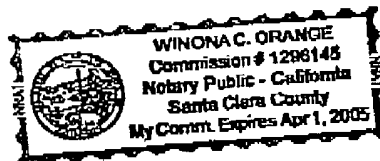
State of California,
County of Santa Clara, ss.

On this 5th day of Dec., 2001, before me, a notary public in and for said county, appeared TODD P. LUKANC, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Winona C. Orange
Notary Public

My Commission Expires: 04/01/05

(Seal)

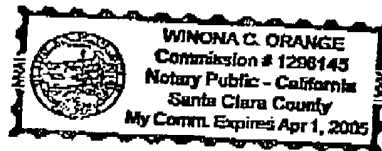


Atty. Dkt. No. 039153-0448 (G1153)

Executed this 07 day of Dec, 2001.State of California
County of Santa Clara ss.CRS
CHRISTOPHER A. SPENCE

On this 7th day of Dec, 2001, before me, a notary public in and for said county, appeared CHRISTOPHER A. SPENCE, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he ~~she~~ acknowledged that he ~~she~~ signed, sealed, and delivered the said instrument as his ~~her~~ free and voluntary act for the uses and purposes therein set forth.

(Seal)

Winona C. Orange
Notary Public
My Commission Expires: 04/01/05